



DRW

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Takatoshi TSUCHIYA et al.

Group Art Unit: 2853

Application No.: 10/721,353

Examiner: L. MARTIN

Filed: November 26, 2003

Docket No.: 117059

For: SYSTEMS AND METHODS FOR VENT PATH LEAKAGE PREVENTION

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the August 10, 2005 Restriction Requirement, Applicants provisionally elect Group I, claims 1-10, with traverse.

Group I, claims 1-10 are directed to a fluid container system including a ventilation port. Group II, claims 11-14 are directed to a method for ventilating a fluid container. Thus, under MPEP §806.05(e), Groups I and II represent a process and an apparatus for use. Applicants respectfully submit that the subject matter of all claims 1-14 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims.

Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added).

It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Gerhard W. Thielman  
Registration No. 43,186

JAO:GWT/gwt

Date: September 9, 2005

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--